

Reimbursement and Coverage, Health Care Financing Administration; and public witnesses.

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Monday, March 19, 1984

Senate

Chamber Action

Routine Proceedings, pages 5827-5854

Measures Introduced: Eleven bills were introduced, as follows: S. 2436-2446.

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Voluntary School Prayer: Senate continued consideration of S.J. Res. 73, proposing an amendment to the Constitution of the United States relating to voluntary school prayer.

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Senate will continue consideration of the joint resolution on Tuesday, March 20, with a vote thereon to occur at 3 p.m.

Messages From the President: Senate received the following messages from the President:

(1) Transmitting the sixth annual report on Federal Energy Conservation Programs undertaken during fiscal year 1982. Referred to the Committee on Energy and Natural Resources. (PM-121)

(2) Transmitting the third annual report on the state of small business. Referred to the Committee on Small Business. (PM-122)

(3) Reporting on the administration of the system of export controls, and transmitting a copy of the executive order rescinding the declaration of economic emergency and revoking Executive Order No. 12444. Referred to the Committee on Banking, Housing, and Urban Affairs. (PM-123)

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Nominations Received: Senate received the following nominations:

William C. Durant III, of Michigan, Paul B. Eaglin, of North Carolina, Pepe J. Mendez, of Colorado, Thomas F. Smegal, Jr., of California, Basile J. Uddo, of Louisiana, Michael B. Wallace, of Mississippi, Hortencia Benavides, of Texas, Leanne Bernstein, of Maryland, Lorain Miller, of Michigan, Claude G. Swafford, of Tennessee, and Robert A. Valois, of North Carolina, each to be a Member of the Board of Directors of the Legal Services Corporation.

Mario F. Aguero, of New York, to be a Commissioner of the Copyright Royalty Tribunal.

Anita M. Miller, of California, and Elmer B. Staats, of the District of Columbia, each to be a Member of the Board of Trustees of the Harry S. Truman Scholarship Foundation.

2 Army nominations in the rank of general.

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Messages From the President:

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Messages From the House:

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Statements on Introduced Bills:

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Notices of Hearings:

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Committee Authority To Meet:

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Additional Statements:

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Recess: Senate convened at 12 noon, and recessed at 3:31 p.m., until 11 a.m., on Tuesday, March 20, 1984. (For Senate's program, see the remarks of Senator Baker in today's Record on page 5854.)

Committee Meetings

APPROPRIATIONS—FCC

Committee on Appropriations: On Friday, March 16, the Subcommittee on Commerce, Justice, State, the Judiciary, and Related Agencies held hearings on proposed budget estimates for fiscal year 1985 for the Federal Communications Commission, receiving testimony from Mark S. Fowler, Chairman, Federal Communications Commission.

Subcommittee will meet again on Wednesday, March 28.

APPROPRIATIONS—EDUCATION DEPARTMENT

Committee on Appropriations: On Friday, March 16, the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies continued hearings on proposed budget estimates for fiscal year 1985 for the Department of Education, receiving testimony in behalf of funds for elementary and secondary education programs, education block grants, and impact aid from Lawrence Davenport, Assistant Secretary of Education for Elementary and Secondary Education.

Subcommittee will meet again on Tuesday, March 20.

APPROPRIATIONS—TREASURY/OPM

Committee on Appropriations: Subcommittee on Treasury, Postal Service and General Government held hearings on proposed budget estimates for fiscal year 1985, receiving testimony in behalf of funds for their respective activities from David E. Pickford, Acting Assistant Secretary of the Treasury for Administration, William E. Douglas, Commissioner, Bureau of Government Financial Operations, W. M. Gregg, Commissioner, Bureau of the Public Debt, Steven R. Mead, Executive Director, U.S. Savings Bonds Division, Donna Pope, Director, United States Mint, and Arthur D. Kallen, Director, Office of Budget and Finance, all of the Department of the

Treasury; and Donald J. Devine, Director, Office of Personnel Management.

Subcommittee will meet again tomorrow.

TAXPAYER RIGHTS

Committee on Finance: Subcommittee on Oversight of the Internal Revenue Service concluded hearings on S. 2400, to safeguard the rights of taxpayers under the Internal Revenue Code, after receiving testimony from Senator Levin; Roscoe L. Egger, Jr., Commissioner, Internal Revenue Service; and David Keating, and Jack W. Wade, Jr., both of the National Taxpayers Union, Jule R. Herbert, Jr., The National Taxpayers Legal Fund, and John C. Lynch, Citizen's Choice, all of Washington, D.C.

TAX MEASURES

Committee on Finance: On Friday, March 16, the Subcommittee on Taxation and Debt Management concluded hearings on the following tax bills:

S. 146, to exempt certain fishing vessels from Federal unemployment tax, S. 1332, to increase the amount of investment credit to 10 percent which may be claimed on capital construction fund withdrawals, and S. 1768, to provide energy tax credits for equipment used aboard or installed on fishing vessels, after receiving testimony from Eldon Greenberg, Galloway & Greenberg, on behalf of Southeastern Fisheries Association, Inc., and Lucy Sloan, National Federation of Fishermen, both of Washington, D.C.; Wilma Anderson and Christine Vehrs, both of Texas Shrimp Association, Austin; and Sam Davidson, Davidson Associates, Portland, Maine;

S. 1809, to disregard the attribution between limited partners of stock of a publicly owned investment company for the purpose of determining whether that company is a personal holding company or a regulated investment company, after receiving testimony from James C. Warner, Lee, Toomey & Kent, on behalf of Bailard, Biehl & Kaise, Inc., and Edwin Cohen, Covington & Burling, on behalf of Investment Company Institute, both of Washington, D.C.; and

S. 2080, to make permanent a provision to encourage employers to provide legal services for their employees, after receiving testimony from Patrick J. Keating, American Bar Association, Steve Koplan and Ralph Willham, both of the AFL-CIO, Alan Reuther, United Auto Workers, Jack Curran, Laborers Union, Joseph Ruth, Employer Paid Legal Services Plan, all of Washington, D.C.; and Nancy Gist, Midwest Mutual Insurance Company and Midwest Administrators, Inc., and Richard Scupi, UAW-GM Legal Services Plan and the UAW Legal Services Plan (Chrysler Hourly Employees), both of Detroit, Michigan.

INVESTMENT FRAUD

Committee on Governmental Affairs: Permanent Subcommittee on Investigations held oversight hearings on commodity fraud investment schemes, focusing on fraudulent gold, silver and platinum schemes, receiving testimony from Michael Flynn, Subcommittee Staff Investigator; Richard Miklic and Martin Carroll, both U.S. Probation Officers, U.S. Probation Office, Miami, Florida; Chris Anderson and Larry Fuchs, both of the Florida Office of the Comptroller, Tallahassee; Dorene Wolf, California Department of Corporations, Sacramento; Orestes Mihaly, New York Assistant Attorney General for Investor Protection and Securities, Albany; Earl Faircloth, International Gold Bullion Exchange, Fort Lauderdale, Florida; William Nortman, Universal Precious Metals, Miami, Florida; David Vickers, Paris, Texas; and Walter Head, Destin, Florida.

Hearings continue on Wednesday, March 21.

ANTI-FRAUDULENT ADOPTION PRACTICES

Committee on the Judiciary: On Friday, March 16, the Subcommittee on Courts held hearings on S. 2299, to prohibit fraudulent acts in connection with the offer or performance of adoption services, prohibit the payment of compensation over and above expenses for adoption services performed, and provide for civil remedies in the U.S. district courts for adoptive parents and birth mothers who are defrauded, receiving testimony from Representatives Roberts; Ann Swift, Director of the Office of Citizen's Consular Services, Department of State; John C. Keeney, Deputy Assistant Attorney General of the Criminal Division, Department of Justice; Andrew Carmichael, Associate Commissioner for Examinations, Immigration and Naturalization Service; Kansas State Attorney General Robert Stephan, Topeka; Louise Pittman, Alabama Bureau of Family and Children Services, Montgomery; John Grubb, Chase, Kansas; and Linda and Mike Davis, Wapello, Iowa.

Hearings were recessed subject to call.

MEDICARE

Special Committee on Aging: On Friday, March 16, the Committee held hearings to examine Medicare's policy to pay physicians for certain services, receiving testimony from Uwe Reinhardt, Princeton University, Princeton, New Jersey; Vita Ostrander, American Association of Retired Persons, William R. Hutton, National Council of Senior Citizens, and James S. Todd, American Medical Association, all of Washington, D.C.; Thomas H. Rice, University of North Carolina, Chapel Hill; Thomas Delbanco, Harvard University, Cambridge, Massachusetts; Susan Babin, Massachusetts Rate Setting Commis-

sion, Boston; and Janet Mitchell and Jerry Cromwell, both of Health Economics Research, Inc., Chestnut Hill, Massachusetts.

Hearings were recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 8 public bills, H.R. 5174-5181; and 3 resolutions, H.J. Res. 518-520 were introduced.

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Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Wright to act as Speaker pro tempore for today.

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Consent Calendar: Agreed to dispense with the call of the Consent Calendar today.

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Presidential Messages: Received and read the following messages from the President:

Small business: Message transmitting his third annual report on the state of small business—referred to the Committee on Small Business; and

Federal energy conservation: Message transmitting the sixth annual report on Federal energy conservation programs undertaken during fiscal year 1982—referred to the Committee on Energy and Commerce.

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Quorum Calls—Votes: No quorum calls or votes developed during the proceedings of the House today.

Adjournment: Met at noon and adjourned at 12:17 p.m.

Committee Meetings

AGRICULTURE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture held a hearing on Rural Electrification Administration. Testimony was heard from the following officials of the USDA: Frank W. Naylor, Under Secretary for Small Community and Rural Development; and Harold V. Hunter, Administrator, Rural Electrification Administration.

On March 16, the subcommittee held a hearing on the Office of Governmental and Public Affairs. Testimony was heard from the following officials of the Office of Governmental and Public Affairs, USDA: Thomas O. Kay, Deputy Assistant Secretary; Leora G. Day, Director, Intergovernmental Affairs; Claude W. Gifford, Director, Office of Information, and Stephen B. Dewhurst, Budget Officer.

COMMERCE-JUSTICE-STATE-JUDICIARY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce-Justice-State-Judiciary held a hearing on International Trade Administration and the Federal Trade Commission. Testimony was heard from Lionel H. Olmer, Under Secretary for International Trade Administration, Department of Commerce; and James C. Miller, III, Chairman, FTC.

On March 16, the subcommittee held a hearing on the Securities and Exchange Commission. Testimony was heard from John S. R. Shad, Chairman, SEC.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on DOE, Uranium Supply and Enrichment Activities. Testimony was heard from Shelby T. Brewer, Assistant Secretary for Nuclear Energy, DOE.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor-HHS-Education held a hearing on Office of Human Development. Testimony was heard from Dorcas R. Hardy, Assistant Secretary for Human Development Services, Office of Human Development, Department of Health and Human Services.

INFANT MORTALITY RATES

Committee on Energy and Commerce: On March 16, the Subcommittee on Oversight and Investigations and the Subcommittee on Health and the Environment held a joint hearing on Infant Mortality Rates. Testimony was heard from Representatives Dixon and Boggs; from the following officials of the Department of Health and Human Services: Dr. Edward N. Brandt, Jr., Assistant Secretary, and Dr. Carolyn K. Davis, Administrator, Health Care Finance Administration; Dr. Jeffrey R. Taylor, Division of Maternal and Infant Health, Department of Public Health, State of Michigan; and public witnesses.

OVERSIGHT

Committee on Interior and Insular Affairs: Subcommittee on Energy and the Environment held an oversight hearing on regulation of surface mining on Indian lands. Testimony was heard from Dean Hunt, Deputy Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior; and public witnesses.

SOUTHERN UTE INDIAN RESERVATION BOUNDARIES

Committee on Interior and Insular Affairs: On March 16, the Committee held a hearing on H.R. 4176, to

confirm the boundaries of the Southern Ute Indian Reservation in the State of Colorado and to define jurisdiction within such reservation. Testimony was heard from John Fritz, Deputy Assistant Secretary for Indian Affairs, Department of the Interior; and public witnesses.

NATIONAL FOREIGN INTELLIGENCE PROGRAM

Permanent Select Committee on Intelligence: Subcommittee on Program and Budget Authorization met in executive session to continue hearings on the National Foreign Intelligence budget. Testimony was heard from departmental witnesses.

Hearings continue tomorrow.

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Tuesday, March 20, 1984

Senate

Chamber Action

Routine Proceedings, pages 5882-5952

Measures Introduced: Seven bills and two resolutions were introduced, as follows: S. 2447-2453, and S.J. Res. 261-262.

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Measure Rejected

Voluntary School Prayer: By 56 yeas to 44 nays (Vote No. 34), two-thirds of the Senators present and voting not having voted in the affirmative, Senate rejected S.J. Res. 73, proposing an amendment to the Constitution of the United States relating to voluntary school prayer.

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Measure Passed:

National Single Parent Day: Senate passed H.J. Res. 200, designating March 21, 1984, as "National Single Parent Day."

S.J. Res. 256, Senate companion measure, was indefinitely postponed.

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Agricultural Programs Adjustment Act: Senate began consideration of H.R. 4072, to reduce 1984 and 1985 wheat target prices and to set forth a combined 1984 acreage reduction and land diversion program, with a committee amendment in the nature of a substitute.

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Senate will continue consideration of the bill and amendments proposed thereto on Wednesday, March 21.

Veto Message on Water Resources Research Program—Agreement: A unanimous-consent agreement was reached providing for the consider-

ation of the veto message on S. 684, authorizing an on-going program of water resources research, with a vote on reconsideration of the bill, the objections of the President notwithstanding, to occur on Wednesday, March 21, at 2 p.m.

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Nomination Confirmed: Senate confirmed the following nomination:

Harry L. Hupp, to be U.S. District Judge for the Central District of California.

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Messages From the House:

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Communications:

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Statements on Introduced Bills:

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Amendments Submitted:

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Notices of Hearings:

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Committee Authority To Meet:

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Additional Statements:

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Record Votes: One record vote was taken today. (Total—34)

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Recess: Senate convened at 11 a.m., and recessed at 6:09 p.m., until 9 a.m., on Wednesday, March 21, 1984. (For Senate's program, see the remarks of Senator Baker in today's Record on page 5952.)

Committees Meetings

RURAL ELECTRIC AND TELEPHONE FEDERAL LOAN PROGRAMS

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Agricultural Credit and Rural Electrification concluded hearings on S. 1300 and H.R. 3050, bills to revise the liabilities and uses of the Rural Electrification and Telephone Revolving Fund, focusing on the effect on electric and telephone costs to the consumer, after receiving testimony from Frank Naylor, Under Secretary of Agriculture for Small Community and Rural Development; Harold V. Hunter, Administrator, Rural Electrification Administration, Department of Agriculture; and Guy C. Lewis, Jr., Robert D. Partridge, Bob Bergland, and David A. Hamil, all of the National Rural Electric Cooperative Association, Charles B. Gill, National Rural Utilities Cooperative Finance Corporation, David C. Fullarton, National Telephone Cooperative Association, and A. Harold Peterson, National REA Telephone Association, all of Washington, D.C.

DEFENSE BUDGET

Committee on Appropriations: Subcommittee on Defense resumed hearings on proposed budget estimates for fiscal year 1985 for the Department of De-